

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 9 1988

Returned to applicant for correction FEB 29 1988

Corrected application filed MAR 14 1988 Map filed JAN 21 1988 under 51449

The applicant AMAX Exploration Inc., c/o Nevada Gold Mining Inc.

P.O. Box 1820

of Winnemucca

Street and No. or P.O. Box No.

City or Town

Nevada 89445

State and Zip Code No.

hereby make^s application for permission to change the

Point of Diversion of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 50390
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed .43 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for mining, milling and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for mining, milling and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, T.40N.,
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
R.35E., M.D.B.&M. or at a point from which the Southeast corner of Section
16 bears S75°07'13"E 3841.57'
- The existing permitted point of diversion is located within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T.40N.,
If point of diversion is not changed, do not answer.
R.35E. M.D.B.&M. or at a point from which the South quarter corner of said
Section 21 bears S13°54'E 1655.6'
- Proposed place of use All of Sections 16 and 21, T.40N., R.35E., M.D.B.&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use All of Sections 16 and 21, T.40N., R.35E., M.D.B.&M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1st to December 31st of each year.
Month and Day Month and Day
- Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well, pump, motor, pipelines and mining
State manner in which water is to be diverted, i.e. diversion structure, ditches, and milling operations.
pipes and flumes, or drilled well, etc.
- Estimated cost of works \$50,000
- Estimated time required to construct works one year

14. Estimated time required to complete the application of water to beneficial use.....three years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Primary use will be for mine dewatering, with a secondary use of milling and domestic. Originally 2.23 c.f.s. was applied for at this point, but the well produces approximately 5.87 c.f.s. Map filed under Application 51449 will support this Application.

s/ John H. Milton III

By.....John H. Milton III
146 West Second Str.

Winnemucca, NV. 89445

Compared.....pm/bc.....pm/se

Protested.....

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 50390 is issued subject to the terms and conditions imposed in said Permit 50390 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The issuance of this permit will allow the permittee to dewater the pit area. The water diverted from this well during the dewatering stage will be placed in such manner as to allow for percolation back to the groundwater source.

Monthly reports covering and including the rate of diversion and (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.43.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....June 19, 1988

Proof of completion of work shall be filed before.....July 19, 1988

Application of water to beneficial use shall be made on or before.....June 19, 1990

Proof of the application of water to beneficial use shall be filed on or before.....July 19, 1990

Map in support of proof of beneficial use shall be filed on or before.....July 19, 1990

Completion of work filed.....JUL 20 1988.....IN TESTIMONY WHEREOF, I.....PETER G. MORROS

Proof of beneficial use filed.....JUL 27 1990.....State Engineer of Nevada, have hereunto set my hand and the seal of

my office, this.....21st.....day of.....June

Cultural map filed.....

Certificate No.....13298.....Issued.....MAR 30 1992

A.D. 19.....88

(PERMIT TERMS CONTINUED)

the total volume from this dewatering well shall be supplied to the State Engineer.

The permittee shall discharge water in a manner and in allocation calculated to conserve water. All disposal sites shall be first approved by the State Engineer.

After the dewatering of the pit area the water diverted will be used for mining, milling and domestic purposes.

The total diversion rate under Permits 50386, 50387, 50388, 50389, 50390, 50876, 50877, 50878, 50879, 50880, 50881, 50882, 50883, 50884, 50885, 50886, 50887, 50888, 50889, 51284, 51449, 51450, 51772, 51822, 51823, 51824, 51825 and 51826 shall not exceed 32.00 c.f.s. (14,360 gallons per minute).

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

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